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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,065	01/15/2002	Anna Ostberg	290630	1088
909	7590	09/19/2006	110072601US/UDO/SU	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			EXAMINER	
P.O. BOX 10500			MEUCCI, MICHAEL D	
MCLEAN, VA 22102			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/050,065	Applicant(s) OSTBERG ET AL.	
	Examiner Michael D. Meucci	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been reassigned to examiner Michael Meucci.
2. This action is in response to the request for reconsideration filed 16 June 2006.
3. There is no mention of the status of claims 9 and 10 which were added in the preliminary amendment filed 28 May 2002. Accordingly, these claims are considered to have been cancelled by the applicant.
4. Claims 2 and 6 have been cancelled by the applicant by way of amendment
5. Claims 1, 3-5, and 7-8 are currently pending.

Priority

6. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(a)-(d) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119 (a)-(d) as follows:

a. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Sweden on 21 December 2001. It is noted, however, that applicant has not filed a certified copy of the 0104364-5 application as required by 35 U.S.C. 119(b).

b. Receipt is acknowledged of a non-certified copy of the 0104364-5 application referred to in the oath or declaration or in an application data sheet. If this copy is being filed to obtain the benefits of the foreign filing date under 35 U.S.C. 119(a)-(d), applicant should also file a claim for such priority as required by 35 U.S.C. 119(b). If the application being examined is an original application filed under 35 U.S.C.

111(a) (other than a design application) on or after November 29, 2000, the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application. See 37 CFR 1.55(a)(1)(i). If the application being examined has entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and Regulations of the PCT. See 37 CFR 1.55(a)(1)(ii). Any claim for priority under 35 U.S.C. 119(a)-(d) or (f) or 365(a) or (b) not presented within the time period set forth in 37 CFR 1.55(a)(1) is considered to have been waived. If a claim for foreign priority is presented after the time period set forth in 37 CFR 1.55(a)(1), the claim may be accepted if the claim properly identifies the prior foreign application and is accompanied by a grantable petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55(c).

Specification

7. The specification is objected to because the lines are crowded too closely together and the **text is too small**, making reading difficult. A **legible** substitute specification with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1, 3-5, and 7-8 are rejected as being unclear and indefinite. For example, claim 1 recites "ordre public." Examiner does not know the meaning of that term, and no clarification is provided in the reference. The submission of the affidavit defining "ordre public" is not sufficient to overcome the rejection under 35 U.S.C. 112, second paragraph. Claims 1, 3-5, and 7-8 are filled with numerous other examples such as "micro debiting" and "percentage partitions" and "post" as disclosed in claims 4 and 8.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 3-5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardos et al (US 6,880,007) hereinafter Gardos and Peled et al (US 2002/0016831) hereinafter Peled, and further in view of Sheth et al (US 6,874,030) hereinafter Sheth.

12. Regarding claims 1 and 5 Gardos teaches:

- a first level of blocking unwanted communication that contravene ordre public, said first level of blocking being in the form of a top level domain requiring registration for web sites residing within the domain with respect to ordre public (Col 1 lines 45-65, Col 2 lines 1-4, and col 4 lines 3-7), as stated above in the 112 rejection, Examiner does not understand the meaning of “ordre public” and no definition is provided in the specification, therefore for the purposes of examining , Examiner is interpreting the above-limitation as “ a first level of blocking in the form of a top level domain requiring registration for web sites”; and means for debiting and debiting based on accumulated usage (Fig 7).
- Examiner is interpreting limitation b as: at least one top level domain server (16) for connection to the top level domain (Col 2, lines 5-15), domain server having files and software (Col 2, lines 10-15), Gardos does not explicitly teach the remaining limitations.
- In analogous art, Peled teaches authenticating a user (Paragraph [0166]) and assign user an IP address (Paragraph [0186]), Examiner is interpreting the limitation: which assign a call, through computer (12), a network address (340) which associates to a correct application server (380) when the user of computer (12) has been identified as “authenticating user and assigning user an IP address;” Peled teaches of a database connected to the top level domain server for registration and approval of a services provider residing within the top level domain (Fig 2).

- Gardos does not explicitly teach of blocking an unidentified calling party. In analogous art, Sheth teaches this aspect. Sheth teaches of blocking an unidentified calling party (Col 3, lines 53-36) and whereby registration of those connected to the domain and the identification of a calling party prevents a free connection and anonymity in computer networks through said top level domain server (16), which accomplishes a top level domain purged from unwanted network traffic (Col 2, lines 35-42). Examiner is interpreting the above limitations as "registration prevents unauthorized access."
- It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of Sheth and Peled because the inventions relate to communication via the Internet. One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications because it would have resulted in a more secure communication system by preventing unauthorized access to system resources. This is desirable as discussed by Peled (Paragraph [0021]).

13. Regarding claim 3 and 7, Gardos teaches: the web address of the one connected is stored for debiting in a database (Col 2, lines 20-25).

14. Regarding claims 4 and 8 as stated in the 112 rejection, Examiner is unclear of the meaning of the limitations. In particular, Examiner is unclear of the meaning of "micro debiting" and "percentage partitions" and "post". No definition or clarification is

provided in the specifications. As best understood, Examiner is interpreting the meaning of the limitation as follows: "means in the debiting server for debiting or billing user based on usage of service," Gardos teaches on this aspect (Fig 7).

Response to Arguments

15. Applicant's arguments filed 16 June 2006 have been fully considered but they are not persuasive.

16. It is believed by the examiner that the applicant meant to disclose that --claims 2 and 6 are cancelled-- on line 4 of the remarks and not "claims 1 and 2 are cancelled."

17. The objection to the specification has **not** been withdrawn because the previously mentioned objection has not been addressed replacing the specification with one that is **legible**. See objection above.

18. The rejections of claims 2 and 6 are **not** rendered moot because the applicant has simply cancelled these claims and placed them in independent claims 1 and 5 respectively. Applicant is required to properly address all rejections in the reply.

19. The applicant claims that the term "ordre public" has been defined by the specification. The examiner respectfully disagrees. The term can be found in paragraph 3 of the specification, which provides absolutely no insight into what the term

means. Other instances of the term appear in what appears to be a re-hashing of the claims in the summary of the described invention and again provide no definition of the term. A search on dictionary.com could not define the term and the examiner is not fluent in whatever language this may be. As such, one of ordinary skill in the art would not be able to determine what this term means. Again, the affidavit provided by the applicant is not sufficient to overcome the rejections under 35 U.S.C. 112, second paragraph.

20. (A) Regarding claim 1, the applicant contends that Gardos does not teach a first level of blocking unwanted communications that contravene ordre public. The examiner respectfully disagrees.

As to point (A), the applicant provides no support for this by differentiating between the instant invention and the prior art of record. The examiner points to lines 3-7 of column 4 in Gardos which discloses: "Accredited registrars have access to the Root Servers managed by Network Solutions through a Shared Registration System ("SRS"), which uses secure socket layer ("SSL") encryption to insure security while allowing access to a common database of information," which clearly describes blocking by use of SSL encryption for security purposes. As such, the rejection remains proper and is maintained by the examiner.

21. (B) Regarding claim 1, the applicant contends that Gardos does not teach micro debiting. The examiner respectfully disagrees.

As to point (B), the applicant provides no support for this by differentiating between the instant invention and the prior art of record. Since micro debiting has not been defined in the specification in a clear and concise manner, for the purpose of applying art, the examiner presumes that micro debiting consists of debiting of some form. The examiner points to Fig. 7 which clearly shows a screen for paying for a service by using credit card information, thereby disclosing debiting. As such, the rejection remains proper and is maintained by the examiner.

22. (C) Regarding claims 3-5 and 7-8, the applicant's remaining arguments have been discussed above with respect to points (A) and (B).

Conclusion

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Karlsson et al. (U.S. 6,226,523 B1) discloses traffic filtering for a network.

Rai et al. (U.S. 6,421,714 B1) discloses mobility management in a wireless system.

Brown et al. (U.S. 6,631,363 B1) discloses rules-based notification and filtering.

Ando et al. (U.S. 2002/0078202 A1) discloses unauthorized intrusion safeguarding.

Afek et al. (U.S. 2002/0083175 A1) discloses protecting against overload conditions in a distributed network and traffic filtering.

Mei et al. (U.S. 2002/0174219 A1) discloses preventing fraudulent activities including obtaining credits by generating fraudulent traffic on a website.

King et al. (U.S. 2003/0033409 A1) discloses traffic filtering for a network.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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